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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant
application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/066,040
Filing Date	February 1, 2002
Examiner Name	Stockton, L.
First Named Inventor	Goldstein, David et al.
Group Art Unit	1626
Attorney Docket Number	R0038H-CONT

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 27, 2003
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other : Petition for Extension of Time under 37 CFR 1.136(a)

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 18-1700
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17), 1 month
- iii. ☐ Other
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)



24372

PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Anastasia Winslow	Registration No. (Attorney/Agent)	40,875
Signature		Date	February 25, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: 2/25/03

Name (Print /Type)	Anastasia Winslow	Date	Feb. 25, 2003
Signature		Date	Feb. 25, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PTO
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FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

Complete if Known

Application Number10/066,040

Filing DateFebruary 1, 2002

First Named InventorGoldst in, David et al

Examiner NameStockton, L.

Group / Art Unit1626

Attorney Docket No.R0038H-CONT

TOTAL AMOUNT OF PAYMENT(\$)

860.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees, to charge any additional fees that may be required, or to credit any overpayments to:

Deposit Account Number18-1700

Deposit Account NameRoche Palo Alto LLC
3401 Hillview Avenue
Palo Alto, CA 94304

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	750			Utility filing fee	
106	330			Design filing fee	
107	510			Plant filing fee	
108	750			Reissue filing fee	
114	160			Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
103	18			Claims in excess of 20	
102	84			Independent claims in excess of 3	
104	280			Multiple dependent claim, if not paid	
109	84			** Reissue independent claims over original patent	
110	18			** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130		Surcharge - late filing fee or oath	
127	50		Surcharge - late provisional filing fee or cover sheet	
139	130		Non-English specification	
147	2,520		For filing a request for reexamination	
112	920*		Requesting publication of SIR prior to Examiner action	
113	1,840*		Requesting publication of SIR after Examiner action	
115	110		Extension for reply within first month	110.00
116	400		Extension for reply within second month	
117	920		Extension for reply within third month	
118	1,440		Extension for reply within fourth month	
128	1,960		Extension for reply within fifth month	
119	320		Notice of Appeal	
120	320		Filing a brief in support of an appeal	
121	280		Request for oral hearing	
138	1,510		Petition to institute a public use proceeding	
140	110		Petition to revive - unavoidable	
141	1,280		Petition to revive - unintentional	
142	1,280		Utility issue fee (or reissue)	
143	460		Design issue fee	
144	620		Plant issue fee	
122	130		Petitions to the Commissioner	
123	50		Processing fee under 37 CFR 1.17 (q)	
126	180		Submission of Information Disclosure Stmt	
581	40		Recording each patent assignment per property (times number of properties)	
146	740		Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740		For each additional invention to be examined (37 CFR § 1.129(b))	
179	740		Request for Continued Examination (RCE)	750.00
169	900		Request for expedited examination of a design application	
Other fee (specify)				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3)				(\$) <div>860.00</div>

SUBMITTED BY

Name (Print/Type)Anastasia Winslow

Registration No. Attorney/Agent40,875

Telephone650/ 852-1141

Signature

Date2/25/03

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Doc.# 120279